

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE HUNTINGTON NATIONAL BANK, Plaintiff	:	Case No.: 2:12 CV 937
	:	
	:	
vs.	:	Judge Watson
	:	
TAYLOR BUILDING PRODUCTS, INC., Defendant	:	
	:	

**FOURTH INTERIM APPLICATION FOR ALLOWANCE OF COMPENSATION FOR
THE RECEIVER AND ATTORNEYS TO THE RECEIVER FOR THE PERIOD OF
MAY 1, 2013 THROUGH JULY 18, 2013 AND AUGUST 30, 2013 RESPECTIVELY**

Now comes Bill Frazier of Raintree Capital Partners, LLC, the Court-appointed Receiver for certain assets of Taylor Building Products, Inc. (herein “Receiver”), by and through counsel, hereby applies for approval of compensation earned and for reimbursement of expenses to the Receiver and attorneys for the Receiver for the period of May 1, 2013 through July 18, 2013 and August 30, 2013 respectively.

I. GENERAL INFORMATION

A. This case was initiated through the filing of a Complaint for the Appointment of a Receiver filed on October 11, 2012. At the request of Plaintiff, The Huntington National Bank (“HNB”), the Court appointed the Receiver pursuant to an Order entered on October 15, 2012 (herein “the Order”) (Doc. 8).

B. Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA (the “Firm”) is the Court-appointed attorney for the Receiver, appointed on the same day as the Receiver, within the Order.

C. Since the previous application, the Applicants have expended time and resources during the course of this complex and substantial receivership case to further the interests of the

receivership estate and the creditors of Taylor Building Products, Inc. (herein "Taylor"). Applicants submit this application for compensation of such services and reimbursement of expenses.

D. All services rendered for which Applicants request compensation were performed or incurred for or on behalf of the receivership estate. The services described in this application were actual, necessary services and the compensation requested for those services is reasonable.

E. Pursuant to the rules of Court, a copy of this Fee Application is being served upon all parties that have appeared in this case.

II. INFORMATION REGARDING PROPOSED COMPENSATION

A. Receiver's Fees and Expenses:

Application period: May 1, 2013, through July 18, 2013

Requested Fees:	\$	9,625.00
<u>Expenses:</u>	\$	<u>0</u>
Total	\$	9,625.00

Attached as Exhibit "A" hereto is time and billing detail of the Receiver, showing 27.5 hours worked at \$350.00 per hour (\$9,625.00).

B. Firm's Fees and Expenses:

Application period: May 1, 2013, through August 30, 2013

Requested Fees:	\$	7,205.00
<u>Expenses:</u>	\$	<u>0</u>
Total	\$	7,205.00

Attached as Exhibit "B" are billing statements for the Firm setting forth: (a) the dates on which the work was performed; (b) a description of the work performed; and (c) the name of each individual performing the work. Attorney time has been billed at the following hourly rates: (a) Myron Terlecky - \$250.00 per hour (\$250.00 x 4.5 = \$1,125.00); (b) Aaron

Firstenberger - \$200.00 per hour ($\$200.00 \times 30.4 = \$6,080.00$). A total of 34.9 hours were worked at the respective rates, resulting in \$7,205.00 in total fees.

C. Certification of Review, and Billing Standards:

Reviews of the fee and expense itemizations have been conducted, and any unnecessary or excessive expenses or duplicative services have been adjusted. The Applicants recorded their services contemporaneously with performance and records of such services. Applicants represent that they have submitted hours to the Court that represent only the actual time incurred in the matters described therein. If the Court believes that the description of services rendered is inadequate, it is requested that a hearing be held to permit Applicants an opportunity to detail the services rendered for any entry in question.

III. CONCLUSION

Based upon the foregoing, the Receiver and the Firm respectfully request that this Court issue an Order as follows:

- a. allowing the Receiver's interim compensation as set forth above and approving payment in the amount of \$9,625.00 for fees;
- b. allowing the Firm's interim compensation and approving payment for the services rendered to or on behalf of the Receiver as set forth above in the amount of \$7,205.00 for fees;
- c. authorizing the Receiver to disburse from the receivership estate to the Applicants the allowed compensation at such time that the Receiver deems appropriate; and
- d. granting such other relief to which the Court determines the Applicants to be entitled.

Respectfully submitted,

/s/ Myron N. Terlecky

Myron N. Terlecky (0018628)

Aaron C. Firstenberger (0072261)

Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA

575 South Third Street

Columbus, OH 43215

Telephone (614) 228-6345

Facsimile (614) 228-6369

Attorneys for the Receiver

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the aforementioned *Fourth Interim Application For Allowance of Compensation To The Receiver and Attorneys For Receiver For The Period of May 1, 2013 Through July 18, 2013 and August 30, 2013 Respectively* been served via the Court's electronic filing system and/or ordinary United States Mail, postage prepaid, on this 10th day of September, 2013 upon:

Bill Frazier
Raintree Capital Partners
17892 Clifton Park Lane
Cleveland, OH 44107
As Receiver

Maggie M. Abbulone, Esquire
Robert T. Castor, Esquire
Justin W. Ristau, Esquire
Bricker & Eckler
100 South Third Street
Columbus, OH 43215
Counsel for Plaintiff, The Huntington National Bank

Kristin S. Watson, Esquire
Cloppert, Latanick, Sauter & Washburn
225 East Broad Street
Columbus, OH 43215
Counsel for Claimants, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 1637

Brian Gianangeli, Esquire
The Law Office of Charles Mifsud, LLC
326 South High Street Annex, Suite 201
Columbus, OH 43215
Counsel for the Ohio Bureau of Worker's Compensation

Ignazio Cangialosi
417 Saddle Back Trail
Franklin Lakes, NJ 07417

Taylor Building Products, Inc.
c/o Tobin Mann, statutory agent
3010 Columbus-Lancaster Road
Lancaster, OH 43130

Arthur M. Neiss, Esq.
Beattie Padovano, LLC
50 Chestnut Ridge Rd., #208
P.O. Box 244
Montvale, NJ 07645

/s/ Myron N. Terlecky
Myron N. Terlecky (0018628)
Aaron C. Firstenberger (0072261)



Mail payments to:
Raintree Capital Partners, LLC
17892 Clifton Park Lane
Lakewood, OH 44107

216.227.1981
216.299.0300

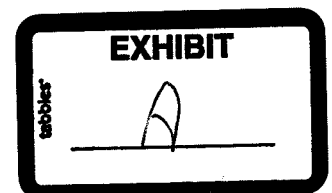
Hon. Michael H. Watson
United States District Court Southern District of Ohio
Re: Case No. 2:12-cv-00937
Huntington National Bank
Vs.
Taylor Building Products, Inc.

Invoice for professional services related to the Taylor Building Products Receivership from
May1 to July 18, 2013.

Invoice 300030
Date: 7/18/2013

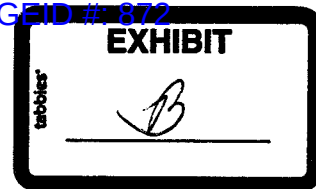
Professional Services:
Bill Frazier: 27.5 hours @ \$350: \$9,625

Total: \$9,625



1-May	3.0	Taylor Building Products: Research receipt of approximately \$48k of unexpected cash proceeds, identified as funds from Prime Source. Contacted Wausau to determine if the funds were theirs.
20-May	3.9	Prepared final settlement of accounts with Wausau. 3.0 hours
21-May	3.9	opened correspondence and responded. balanced checkbook. communicated with counsel regarding progress in case. 2.4 hours.
23-May	3.6	prepare correspondence with vendors seeking payment, remit to ADP. Correspondence with counsel re lawsuit in Sagnaw re Robert Harris
28-May	0.8	Review state tax filings in Florida, Texas, Ohio, Michigan. Determine what to pay, actions required. identify additional communication required with unsecured, send template letter to parties.
10-Jun	1.4	Consult with personnel of Ohio Department of Taxation, prepare correspondence to them, mailed check for Q4 CAT. 8 hours
17-Jun	1.4	Review Union response to Motion re unreimbursed healthcare. Discuss with Huntington. 0.4 hours. Conference call: Myron and Aaron re; Union response
20-Jun	4.0	Administration of Estate: respond to tax authorities requesting reports and filing invoices. 4.0 hours
27-Jun	1.0	Prepare documents for MI to stop further assessments. 1.0
8-Jul	6.5	prepare response to Nick's counsel with information memorandum. 4.0 hours.
	0.3	Review report to Cangialosi's attorney with Counsel, discuss final motions for the Estate, correspond with Bank. 25 hrs.
	2.0	Confirm remaining insurance balance with Huntington Insurance Agency, remit balance. Prepare reconciliation of checking account. Prepare memorandum for secured lender identifying remaining funds which could be distributed.
	1.0	Contact IRS and Fed regarding interest check, pull together materials for Ayers re response to SPA inquires. 1.0 hour
	27.5	

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345



Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
08/30/2013
ACCOUNT NO: 15036-000M
STATEMENT NO: 9

Attorney for Receiver

PREVIOUS BALANCE			\$11,330.00
		HOURS	
07/09/2013	CORRESPONDENCE WITH ATTORNEY LAVELLE AND MR. FRAZIER RE: INSURANCE CLAIM	0.25	62.50
07/10/2013	REVIEW OF OBJECTION FROM MR. MANN TO SETTLEMENT OF UNION MEDICAL CLAIMS; OFFICE CONFERENCE WITH ATTORNEY FIRSTENBERGER RE: SAME	0.25	62.50
07/15/2013	CORRESPONDENCE WITH MR. FRAZIER RE; RECEIVER;S REPORTS	0.10	25.00
08/09/2013	RECEIPT AND REVIEW OF INTERVENTION COMPLAINT; CORRESPONDENCE WITH RECEIVER RE: SAME	0.50	125.00
08/20/2013	REVISED RESPONSE TO MOTION FOR RELIEF FROM STAY	0.50	125.00
08/28/2013	REVIEW OF ORDER RE: SEPTEMBER 4TH STATUS CONFERENCE	0.10	25.00
	REVISED MOTION TO STRIKE	0.10	25.00
	Myron N. Terlecky	1.80	450.00
06/28/2013	REVIEW UPDATE ON FINANCIALS FROM RECEIVER	0.10	20.00
07/01/2013	PH C W/CLIENT RE: EXECUTION OF UNION AGREEMENT, FINANCIAL STATUS	0.20	40.00
07/02/2013	CHECK STATUS OF FEE APPLICATION W/COURT; UPDATE ON UNION HEALTH CARE CLAIM SETTLEMENT DOCUMENT	0.20	40.00
07/03/2013	PH C W/R. SNYDER RE: EXECUTION OF UNION AGREEMENT	0.10	20.00
07/09/2013	REVIEW FINAL SIGNED AGREEMENT FOR UNION HEALTH CLAIMS; CORRESPONDENCE WITH R. SNYDER AND RECEIVER RE: SAME; CORRESPONDENCE FROM RECEIVER RE: POTENTIAL NEW ASSET; TELEPHONE CONFERENCE WITH RECEIVER RE: SAME, TIMING FOR FINAL DISTRIBUTION; REVIEW CNA DECLINE COVERAGE LETTER;	0.80	160.00
07/10/2013	ATTENTION TO AGREED ORDER ON SETTLEMENT; REVIEW LETTER OBJECTION FROM T. MANN; CONFERENCE WITH ATTORNEY TERLECKY RE:		

Taylor Building Products, Inc.

08/30/2013

ACCOUNT NO: 15036-000M
STATEMENT NO: 9

Attorney for Receiver

		HOURS	
	SAME; STRATEGIZE MANN EFFECT ON SETTLEMENT AND REMEDIATION OF SAME, REVIEW OF SETTLEMENT AGREEMENT; REVIEW COURT DOCKET FOR MANN OBJECTION AND FEE APP STATUS; TELEPHONE CONFERENCE WITH RECEIVER RE: MANN OBJECTION; MEMO TO ATTY CASTOR RE: SAME; ADDITIONAL CORRESPONDENCE ON MANN MATTER;	1.60	320.00
07/11/2013	ATTENTION TO EEOC MATTER (FERRELL); CORRESPONDENCE WITH AGENT MORENO RE: SAME; REVIEW CHANGES TO AGREED ORDER; COMMENT TO ATTY SNYDER RE: MANN OBJECTION;	0.40	80.00
07/12/2013	CORRESPONDENCE WITH CLIENT AND ATTORNEY TERLECKY RE: MANN OBJECTION AND AGREED ORDER;	0.10	20.00
07/17/2013	CONFERENCE W/ATTY TERLECKY RE: MANN OBJECTION AND EFFECT ON AGREED ORDER WITH UNION	0.10	20.00
07/18/2013	REVIEW FORECLOSURE PLEADINGS FILED ON THORNTON ROSHON PROPERTY; CORRESPONDENCE W/CLIENT RE: FEE APPLICATION STATUS; MESSAGE FROM EEOC RE: REBUTTAL BY FERRELL, ADDITIONAL INFORMATION REQUESTED; UPDATE TO ATTY SNYDER RE: AGREED ORDER STATUS	0.40	80.00
07/19/2013	REVIEW OF REQUEST FOR DOCUMENTS FROM EEOC	0.20	40.00
07/22/2013	REVIEW UPDATED BILLINGS FROM CLIENT; PH C W/INSURANCE COUNSEL RE: FORECLOSURE ACTION AGAINST THORNTON & ROSHON PROPERTIES; DRAFT FOURTH FEE APPLICATION	1.00	200.00
07/29/2013	REVIEW OF ORDER RELATIVE TO INTERVENTION BY ROSHON	0.10	20.00
07/30/2013	REVIEW FINDINGS OF EEOC IN DUFFY MATTER; CORRESPONDENCE W/CLIENT RE: SAME	0.20	40.00
08/07/2013	CONFERENCE W/ATTY TERLECKY RE: EEOC MATTERS, DIRECTION ON HEALTH CARE CLAIMS ISSUE, 26F REPORT AND CONFERENCE; CORRESPONDENCE W/COUNSEL RE: 26F STRATEGY; PH C W/COURT RE: HEALTH CARE CLAIMS ISSUE	0.50	100.00
08/09/2013	REVIEW COMPLAINT FOR INTERVENTION AND MOTION FOR RELIEF FROM STAY FILED BY ROSHON; PH C W/J. RISTAU RE: SAME	0.50	100.00
08/12/2013	REVIEW CLIENT CORRESPONDENCE RE: AUCTION OF PREMIUM ITEMS AND COMMUNICATION WITH LANDLORD RE: SAME	0.10	20.00
08/15/2013	REVIEWING MOTION FOR RELIEF FROM STAY; CONFERENCE W/M. TERLECKY RE: RESPONSE TO SAME; ATTENTION TO RESPONSE TO MOTION FOR RELIEF FROM STAY; RESEARCH: RELIEF FROM STAY STANDARDS; PH C W/ATTY RICK THOMAS RE: STATUS OF RECEIVERSHIP	1.60	320.00
08/20/2013	PH C W/J. RISTAU RE: RESPONSE TO INTERVENOR COMPLAINT AND MOTION FOR LEAVE; REVIEWING LEASE DOCUMENTS OF PREMIUM GLASS		

Taylor Building Products, Inc.

08/30/2013

ACCOUNT NO: 15036-000M
STATEMENT NO: 9

Attorney for Receiver

		HOURS	
	FOR RESPONSE TO MOTION FOR LEAVE; CORRESPONDENCE W/RECEIVER RE: PREMIUM PROPERTIES SUBJECT TO CLAIMS; ATTENTION TO MOTION FOR RELIEF OF STAY; PH C W/INSPECTOR MORENO RE: FERRELL EEOC CLAIM AND DISMISSAL; ADVISE CLIENT OF SAME	2.50	500.00
08/21/2013	FINAL ATTENTION TO MEMO CONTRA MOTION FOR STAY AND EXHIBITS; DRAFT MOTION TO EXCUSE RECEIVER FROM 26F PROCESS	0.70	140.00
08/22/2013	REVIEW ORDER SETTING STATUS CONFERENCE; CORRESPONDENCE W/CLIENT RE: SAME	0.20	40.00
08/27/2013	NOTICE FROM NATIONAL EQUITY GROUP RE: ADDITIONAL DISTRIBUTION; ADVISE CLIENT; PH C W/MICHIGAN COUNSEL RE: WITHDRAWAL	0.30	60.00
08/28/2013	CORRESPONDENCE W/CLIENT RE: STATUS CONFERENCE; DRAFT MOTION TO DISMISS; REVIEW HNB MOTION TO DISMISS	0.70	140.00
08/30/2013	PH C W/J. RISTAU RE: PREPARATION FOR STATUS CONFERENCE, DISCUSSION OF REMAINING ISSUES INCLUDING NON-UNION HEALTH CARE MATTERS; CORRESPONDENCE W/B. FRAZIER RE: SAME	0.70	140.00
	Aaron C. Firstenberger	13.30	2,660.00
	FOR CURRENT SERVICES RENDERED	15.10	3,110.00
	TOTAL CURRENT WORK		3,110.00
07/23/2013	PAYMENT THANK YOU.		-7,235.00
	BALANCE DUE		<u>\$7,205.00</u>

TRUST ACCOUNT SUMMARY AS OF 08/30/2013 \$150.51

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
 PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐
 DISCOVER
 ACCT NUMBER _____ EXP DATE _____ CVV _____
 CODE _____
 SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
08/30/2013
ACCOUNT NO: 15036M

PREVIOUS BALANCE	FEES	EXPENSES	ADVANCES	PAYMENTS	BALANCE
15036-000 Attorney for Receiver 11,330.00	3,110.00	0.00	0.00	-7,235.00	<u>\$7,205.00</u>

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐
DISCOVER
ACCT NUMBER _____ EXP DATE _____ CVV _____
CODE _____
SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
06/28/2013
ACCOUNT NO: 15036-000M
STATEMENT NO: 8

Attorney for Receiver

PREVIOUS BALANCE

\$9,135.00

HOURS

06/05/2013	CORRESPONDENCE WITH ATTORNEY SNIDER REI RESOLUTION OF HEALTH CLAIM MOTION	0.10	25.00
06/10/2013	REVIEW OF CORRESPONDENCE AND MOTION FROM ATTORNEY GRIFFITH RE: PRETRIAL CORRESPONDENCE IN THORNTON AND ROSHON LITIGATION; TELEPHONE CONFERENCE WITH ATTORNEY GRIFFITH RE: SAME	0.20	50.00
06/18/2013	REVISED SETTLEMENT AGREEMENT AND PROPOSED ORDER Myron N. Terlecky	0.40 0.70	100.00 175.00
06/10/2013	PH C W/ATTY J. RIZZI FOR CANGIALOSI RE: ACCOUNTING AND TIMELINE FOR FINALIZATION; REVIEW REQUEST FOR INFORMATION FROM ATTY RIZZI; FORWARD SAME TO RECEIVER W/COMMENT	0.40	80.00
06/11/2013	CHECK STATUS OF UNION HEALTH CARE CLAIMS AGREEMENT W/ATTY TERLECKY; CORRESPONDENCE W/RECEIVER RE: CANGIALOSI REQUEST FOR INFORMATION; CORRESPONDENCE W/ATTY RIZZI RE: SAME	0.40	80.00
06/12/2013	UPDATE CLIENT ON UNION HEALTHCARE SETTLEMENT; CONFIRM STATUS CONFERENCE IN ROSHON CASE IS CONTINUED	0.20	40.00
06/17/2013	PH C W/CLIENT RE: RESPONSE TO DEBTOR COUNSEL, STATUS OF FEE APPLICATION, STATUS OF UNION AGREEMENT; PH C W/R. SNYDER RE: UNION HEALTHCARE CLAIMS; CHECK STATUS OF FEE APPLICATION; CORRESPONDENCE W/CLIENT RE: STATUS OF UNION AGREEMENT; REVIEW OF SETTLEMENT AGREEMENT	1.10	220.00
06/18/2013	CORRESPONDENCE W/RECEIVER RE: UNION AGREEMENT; REVIEW OF UNION AGREEMENT. CORRESPONDENCE W/ATTY SNYDER RE: SETTLEMENT AGREEMENT; REVIEW RECEIVER REPORT TO CANGIALOSI COUNSEL, VERIFICATION OF FINANCIALS INCLUDED; DRAFT AGREED ORDER AS TO SETTLEMENT OF UNION CLAIMS; PH C W/RECEIVER RE: SAME	2.40	480.00
06/19/2013	REVISION TO UNION SETTLEMENT AGREEMENT	0.20	40.00

Taylor Building Products, Inc.

06/28/2013

ACCOUNT NO: 15036-000M
STATEMENT NO: 8

Attorney for Receiver

HOURS

06/20/2013	PH C W/RECEIVER RE: CANGIALOSI REQUEST AND REPORT; ATTENTION TO SAME; CORRESPONDENCE W/R. SNYDER RE: FILING OF ENTRY; DRAFT RESPONSE TO ATTY RIZZI RE: QUESTIONS FROM CANGIALOSI; INQUIRY BY ATTY SCOTT LAVELLE RE: ROSHON LAWSUIT	0.90	180.00
06/21/2013	UPDATE ON STATUS OF FILING UNION AGREED ORDER; PH C W/ATTY LAVELLE RE: ROSHON LITIGATION; PH C W/RECEIVER RE; SAME; REVIEWING MOTION TO LIFT STAY AND INTERVENE	1.10	220.00
06/24/2013	REVIEWING MOTION TO INTERVENE; REVIEW SCHEDULING ORDER IN ROSHON MATTER; ATTENTION TO DRAFTING AND RESPONSE TO ROSHON MOTION	2.80	560.00
06/25/2013	REVIEW OF NEW VERSION OF UNION AGREEMENT; CORRESPONDENCE W/R. SNYDER RE: SAME	0.40	80.00
06/26/2013	CONFERENCE W/ATTY TERLECKY RE: RESPONSE TO MOTION TO RELEASE STAY; REVIEW CORRESPONDENCE FROM S. LAVELLE IN THORNTON CASE Aaron C. Firstenberger	0.20 10.10	40.00 2,020.00
	FOR CURRENT SERVICES RENDERED	10.80	2,195.00
	TOTAL CURRENT WORK		2,195.00
	BALANCE DUE		<u>\$11,330.00</u>

TRUST ACCOUNT SUMMARY AS OF 06/28/2013 \$150.51

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
 PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐
 DISCOVER
 ACCT NUMBER _____ EXP DATE _____ CVV _____
 CODE _____
 SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
06/28/2013
ACCOUNT NO: 15036M

PREVIOUS BALANCE	FEES	EXPENSES	ADVANCES	PAYMENTS	BALANCE
15036-000 Attorney for Receiver 9,135.00	2,195.00	0.00	0.00	0.00	<u>\$11,330.00</u>

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐
DISCOVER
ACCT NUMBER _____ EXP DATE _____ CVV _____
CODE _____
SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
06/04/2013
ACCOUNT NO: 15036-000M
STATEMENT NO: 7

Attorney for Receiver

PREVIOUS BALANCE

\$7,235.00

HOURS

05/01/2013	OFFICE CONFERENCE WITH ATTORNEY FIRSTENBERGER RE: HEALTH CLAIM MOTION	0.25	62.50
05/06/2013	TELEPHONE CONFERENCE WITH ATTORNEY ALLEN RE: RECEIVERSHIP ISSUES	0.25	62.50
05/08/2013	CORRESPONDENCE WITH ATTORNEY ALLEN RE: ACCOUNTS RECEIVABLE	0.10	25.00
05/09/2013	TELEPHONE CONFERENCE WITH ATTORNEY LAVELLE RE: MOTION TO INTERVENE	0.10	25.00
05/27/2013	RECEIPT AND REVIEW OF RESPONSES OF UAW TO MOTION TO PAY CLAIMS AND CORRESPONDENCE WITH MR. FRAZIER RE: SAME	0.50	125.00
05/28/2013	OFFICE CONFERENCE WITH ATTORNEY FIRSTENBERGER RE: REVIEW OF OPEN ISSUES, CLOSING RECEIVERSHIP AND HEALTHCARE CLAIMS; TELEPHONE CONFERENCE WITH RECEIVER RE: HEALTHCARE CLAIMS	0.30	75.00
05/31/2013	TELEPHONE CONFERENCE WITH ATTORNEY SNIDER RE: UAW HEALTH CLAIMS; CORRESPONDENCE TO ATTORNEY SNIDER RE: RESOLUTION OF HEALTH CLAIMS ISSUES	0.50	125.00
	Myron N. Terlecky	2.00	500.00
05/01/2013	CORRESPONDENCE W/CLIENT RE: FEE APPLICATION; REVIEWING RECEIVER TIME SUMMARIES; ATTENTION TO HEALTH CARE MOTION; ADDITIONAL WORK ON HEALTH CARE CLAIMS MOTION	1.80	360.00
05/02/2013	REVIEW OF TIME SUMMARIES FOR FEE APPLICATION; FINAL WORK ON PROPOSED ORDER FOR FEES	0.40	80.00
05/06/2013	CONFERENCE W/ATTY TERLECKY RE: FEE APPLICATION	0.10	20.00
05/07/2013	FINAL REVIEW AND REVISION TO FEE APPLICATION AND ORDER	0.30	60.00
05/08/2013	BRIEF REVIEW OF MOTION TO INTERVENE; UPDATE MICHIGAN COUNSEL;		

Taylor Building Products, Inc.

06/04/2013

ACCOUNT NO: 15036-000M

STATEMENT NO: 7

Attorney for Receiver

		HOURS	
	NOTICE FROM CLIENT OF NEW EEOC CLAIM FILED; UPDATE REQUEST TO EEOC RE: PENDING FIRST CLAIM	0.40	80.00
05/09/2013	CONFERENCE W/ATTY TERLECKY RE: MOTION TO INTERVENE; REVIEW CORRESPONDENCE FROM ATTY CASTOR RE: SAME	0.20	40.00
05/10/2013	REVIEW OF EEOC CLAIM FOR DISCRIMINATION (SECOND ONE); CORRESPONDENCE W/RECEIVER RE: SAME; INITIAL WORK ON RESPONSE	0.70	140.00
05/14/2013	CORRESPONDENCE FROM CNA RE: INJURY CLAIM AND LITIGATION; REVIEW CLIENT AFFIDAVIT FOR DUFFY EEOC CLAIM; ATTENTION TO LETTER TO EEOC ON DUFFY CLAIM	0.40	80.00
05/20/2013	REVIEW STIPULATED DISMISSAL IN THORNTON CASE; UPDATE CLIENT RE: UNION HEALTH CARE MOTION STATUS; CORRESPONDENCE FROM RECEIVER RE: WORKER'S COMPENSATION CASE PENDING; REVIEW CORRESPONDENCE FROM RECEIVER AND UPDATED A/R REPORT	0.50	100.00
05/21/2013	CORRESPONDENCE W/RECEIVER RE: SALES TAX PRE-RECEIVERSHIP; ANALYZING POSSIBLE RESPONSE TO STIPULATED DISMISSAL IN ROSHON CASE	0.20	40.00
05/22/2013	PH C W/B. FRAZIER RE: CAT TAX OBLIGATION AND RECEIVER'S DUTIES	0.20	40.00
05/27/2013	REVIEW CORRESPONDENCE FROM ATTY SNYDER RE: SETTLEMENT OF UNION CLAIMS; REVIEW CLIENT LETTER ON CAT TAX; CORRESPONDENCE W/CLIENT RE: UNION FILING; CORRESPONDENCE W/ATTY SNYDER RE: SAME; REVIEWING UNION RESPONSE TO PROPOSAL TO PAY HEALTH CLAIMS; CONFERENCE CALL W/B. FRAZIER RE: RESPONSE TO UNION MEMO CONTRA	1.00	200.00
05/30/2013	CORRESPONDENCE W/RECEIVER RE: COUNTER PROPOSAL TO UNION	0.10	20.00
05/31/2013	REVIEW AND ANALYSIS OF UNION OFFER W/ATTY TERLECKY; CORRESPONDENCE W/CLIENT AND ATTY SNYDER; PH C W/B. FRAZIER RE: SETTLEMENT OF UNION CLAIMS; CONFIRMATION OF SAME W/COUNSEL	0.50	100.00
06/03/2013	CORRESPONDENCE W/MICHIGAN BWC RE: NOTICE OF RECEIVERSHIP; REVIEW NOTES ON BWC CASE	0.20	40.00
	Aaron C. Firstenberger	7.00	1,400.00
	FOR CURRENT SERVICES RENDERED	9.00	1,900.00
	TOTAL CURRENT WORK		1,900.00
	BALANCE DUE		<u>\$9,135.00</u>

TRUST ACCOUNT SUMMARY AS OF 06/04/2013 \$150.51

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

Page: 1
06/04/2013
ACCOUNT NO: 15036M

PREVIOUS BALANCE	FEES	EXPENSES	ADVANCES	PAYMENTS	BALANCE
15036-000 Attorney for Receiver 7,235.00	1,900.00	0.00	0.00	0.00	<u>\$9,135.00</u>

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
PAYMENT METHOD ___CHECK ___VISA ___MASTERCARD ___
DISCOVER
ACCT NUMBER_____EXP DATE_____CVV
CODE_____
SIGNATURE_____AMOUNT \$_____

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

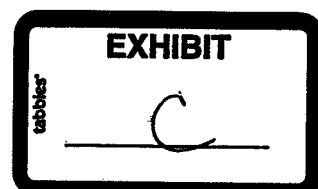
THE HUNTINGTON NATIONAL BANK, Plaintiff	:	Case No.: 2:12 CV 937
	:	
	:	
vs.	:	Judge Watson
	:	
TAYLOR BUILDING PRODUCTS, INC., Defendant	:	
	:	

**ORDER GRANTING FOURTH INTERIM APPLICATION FOR ALLOWANCE
OF COMPENSATION FOR THE RECEIVER AND ATTORNEYS TO THE
RECEIVER FOR THE PERIOD OF MAY 1, 2013, THROUGH JULY 18, 2013
AND AUGUST 30, 2013 RESPECTIVELY**

This matter comes before the Court on the *Fourth Interim Application for Allowance of Compensation for the Receiver and Attorneys to the Receiver for the Period of May 1, 2013, through July 18, 2013 and August 30, 2013* (the “Application”), filed on September 10, 2013, by Bill Frazier of Raintree Capital Partners, LLC, the Court-appointed Receiver (herein “Receiver”) for certain assets of Taylor Building Products, Inc. Through the Application, the Receiver applies for approval of compensation earned and for reimbursement of expenses to the Receiver and attorneys for the Receiver for the period of May 1, 2013, through July 18, 2013 and August 30, 2013 respectively (the “Application Period”).

According to the Application and the attached documentation showing the efforts made in this case, the fees earned by the Receiver for the Application Period total \$9,625.00.

Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA (the “Firm”), attorneys for the Receiver, also seek compensation for fees in the Application Period in the amount of \$7,205.00.



Pursuant to the *Order Appointing Receiver* in this case, the Application was served on those parties appearing in this case or requesting notice of pleadings in this case. A suitable time period for objections to be filed has passed and no objection to the Application has been filed.

Based on the matters contained in the Application, proper service of the Application having been completed, and no objection to the Application having been filed, the Court finds the Application to be well-taken and it is approved. The Court finds that the services provided by the Receiver and the Firm were necessary and proper in the administration of this case. Since being appointed, the Applicants have expended time and resources during the course of this receivership case to further the interests of the receivership estate and the creditors of Taylor Building Products, Inc. All services rendered for which Applicants request compensation were performed or incurred for or on behalf of the receivership estate. The services described in this application were actual, necessary services and the compensation requested for those services is reasonable.

It is therefore ORDERED and DECREED that the Application shall be, and it hereby is, granted, and that the Receiver shall be, and he hereby is, entitled to fees in the amount of \$9,625.00;

It is FURTHER ORDERED and DECREED that the Firm shall be, and it hereby is, entitled to fees in the amount of \$7,205.00;

It is FURTHER ORDERED and DECREED that the Receiver is authorized to make the approved payments at such time as the Receiver deems appropriate out of funds of the Receivership estate.

IT IS SO ORDERED.

DATE: _____

UNITED STATES DISTRICT COURT
JUDGE MICHAEL H. WATSON

SUBMITTED BY:

/s/ Myron N. Terlecky
Myron N. Terlecky (0018628)
Aaron C. Firstenberger (0072261)
Strip, Hoppers, Leithart, McGrath & Terlecky Co., L.P.A.
575 South Third Street
Columbus, Ohio 43215-5759
Telephone: (614) 228-6345
Facsimile: (614) 228-6369
Attorneys for Receiver

Copies to:

Via eFiling:

- Robert Castor, Esq.
- Kristin Watson, Esq.
- Brian Gianangeli, Esq.

Via Regular Mail:

- Arthur M. Neiss, Beattie Padovano, LLC, 50 Chestnut Ridge Road, #208, PO Box 244, Montvale NJ 07645.